

NEVADA DIVISION OF ENVIRONMENTAL PROTECTION

FACT SHEET

(pursuant to NAC 445A.236)

Permittee Name: PHW Las Vegas, LLC
3667 Las Vegas Boulevard South
Las Vegas NV 89109

Permit Number: NV0022985

Description of Discharge: Dewatering (no remediation treatment required) discharge to storm drain system

Location: Planet Hollywood Resort Casino
3667 Las Vegas Boulevard South
Las Vegas NV 89109

| NW ¼ Sec 21 | Township 21 South | Range 61 East | Mt Diablo Base & Meridian | |
|----------------------------------------------------|-------------------|-------------------|---------------------------|-----------------|
| FEATURE | LAT (d m s) | LON (d m s) | LAT (decimal °) | LON (decimal °) |
| Performing Arts Center | 36° 06' 35.56" N | 115° 10' 12.67" W | 36.1098778° | -115.1701861° |
| Outfall 001: Parking Garage storm drain connection | 36° 06' 40.30" N | 115° 10' 18.48" W | 36.1111944° | -115.1718000° |
| Outfall 002: Arts Center storm drain connection | 36° 06' 40.33" N | 115° 10' 04.00" W | 36.1112028° | -115.1677778° |
| Outfall 003: Hotel Tower storm drain connection | 36° 06' 40.30" N | 115° 10' 17.00" W | 36.1111944° | -115.1713889° |

General: The Planet Hollywood Resort Casino property was formerly the Alladin Hotel & Casino and the active 2006 permit, NV0022985, was transferred to the new owner in February 2010. The discharge permit is for dewatering of three structures that intercept the water table: the underground parking garage, performing arts center, and hotel tower. The garage and tower systems discharge directly to the Clark County storm drain system on the north side of the property, while the arts center onsite collection system discharges to the Clark County drain at a connection near the northeast corner of the property. The Clark County storm drain system in this area discharges to Flamingo Wash, a tributary to Las Vegas Wash.

Flow: 60 gallons per minute (gpm) 30-Day Average. The permit rate is for the cumulative sum of three outfall discharges at the site.

Receiving Water Characteristics: The Clark County storm drain system is a tributary to Las Vegas Wash, and the standards set at the nearest downstream control point, "Las Vegas Wash at Telephone Line Road" (NAC 445A.199), apply. In addition, the state wide standards for toxic materials, NAC445A.144, are applicable, and Total Maximum Daily Loads (TMDLs) for Las Vegas Wash have been established for phosphorus and ammonia.

Drinking Water Protection: No Wellhead Protection Area (WHPA) is established for this vicinity. The Bureau of Water Pollution Control (BWPC) permitted facility property lies within the 6,000 foot radius Drinking Water Protection Area (DWPA) of two Public Water System (PWS) wells. Discharge of collected groundwater by the facility in accordance with permit limitations is not expected to adversely impact PWS wells in the area.

Corrective Action Sites: This BWPC permit facility is within one mile of four (4) Bureau of Corrective Action (BCA) remediation sites. The permitted dewatering activity at the facility is not expected to influence any remediation activity.

Remediation Sites within 1 mile radius of Facility

| Agency | Project ID Number | Site Number | Facility Name | Corrective Action Type (Media / Contaminant) |
|--------|-------------------|-------------|---------------------------|----------------------------------------------|
| BCA | 5662 | 8-000019 | ARCO 1903 | Ground Water / Gasoline |
| BCA | 779 | 8-000064 | Caesars Palace | Soil / Gasoline |
| BCA | 778 | 8-000064 | Caesars Palace | Ground Water / Solvents |
| BCA | 3321 | H-001063 | Harrah's Hotel and Casino | Soil & Ground Water / Solvents |
| BCA | 3706 | H-001356 | Al Phillips The Cleaner | Ground Water / Solvents |

Discharge Characteristics: Review of analysis samples taken during the 2006 and past permit cycles for the permit site indicates favorable water quality. No groundwater remediation treatment system is required for the facility at this time. Petroleum absorptive materials are used in the on-site collection wells to diminish and restrict possible contamination that may pass to the wells from surface contact on the property. The absorptive materials are changed out regularly as part of the property discharge operations and maintenance plan.

The depth to groundwater in the site vicinity has been increasing for the past several years as noted in the permit Discharge Monitoring Reports (DMR). With increased groundwater depth, there are prolonged periods of no discharge flow for the collection system wells, particularly those wells dewatering the garage and hotel tower structures. Dewatering for the arts center collection system is also intermittent, but it more routinely discharges to the storm drain. Collected groundwater at the site is discharged from the wet well sumps using high capacity pumps; consequently they operate for short durations to remove the sump water. Often, the total pump running time for a monthly period is only a few hours, resulting in very low 30-day average flow values being reported in DMRs.

Analytical results of water quality sampling taken at the site during the 2006 permit cycle (1st Quarter 2006 to 4th Quarter 2010) are summarized below. Mineral parameters were monitored and reported in accordance with permit requirements to collect data for loading contributions from the site groundwater and to identify any exceedance of regulatory standards (NAC 445A.144) for mineral parameters*. During the 2006 permit cycle, there were no exceedances of mineral standards.

Outfall 001: Prior to discharge to storm drain on north side of site discharging collected flows from Parking Garage sumps.

Outfall 002: Prior to discharge to storm drain near northeast corner of site discharging collected flows from Performing Arts Center sumps.

Outfall 003: Prior to discharge to storm drain on north side of site discharging collected flows from Hotel Tower sumps.

| Data Period | | Q1 2009 to Q4 2010 | | Q1 2006 to Q4 2010 | | | | |
|----------------------------------|-----------|--------------------|-----------|--------------------------------|---------------------------|---------------------------|----------------------|------------------------------|
| Parameter (mg/l) unless noted | | Flow** (gpm) | TPH** | Total Inorganic Nitrogen | pH (standard units) | Ammonia as Nitrogen | Total Phosphorous | Total Dissolved Solids |
| Permit Limit | 30-d Avg | 60 | -- | -- | -- | -- | -- | -- |
| | Daily Max | -- | M&R | 20 | 6.5 – 9.0 | M&R | M&R | M&R |
| 001 Garage | Max | 0.014 | -- | 8.2 | 7.9 | 1.7 | 0.28 | 2754 |
| | Avg | -- | -- | 3.2 | 7.4 | 0.52 | 0.25 | 2032 |
| | Min > 0 | 0.014 | ND at 1.0 | 0.13 | 6.89 | 0.11 | 0.22 | 360 |
| 002 Arts Cntr | Max | 0.4 | -- | 4.7 | 8.1 | 4.7 | 4.1 | 1188 |
| | Avg | -- | -- | 2.1 | 7.2 | 2.2 | 1.3 | 500 |
| | Min > 0 | 0.00037 | ND at 1.0 | 0.45 | 6.2 | 0.08 | 0.43 | 100 |
| 003 Hotel Twr | Max | No Flow | -- | 24 | 7.9 | 23 | 21 | 3200 |
| | Avg | No Flow | -- | 5.4 | 7.2 | 4.5 | 3.1 | 872 |
| | Min > 0 | No Flow | ND at 1.0 | 0.42 | 6.5 | 0.26 | 0.11 | 62 |

mg/l: milligrams per liter

M&R: monitor & report

gpm: gallons per minute

ND: Non-Detect at "value"

TPH: Total Petroleum Hydrocarbons

Min > 0: Minimum value greater than zero

*The 2006 permit required an annual monitor and report for minerals: antimony, arsenic, barium, beryllium, boron, cadmium, calcium, chromium, copper, fluoride, iron, lead, magnesium, manganese, mercury, molybdenum, nickel, selenium, silver, sulfide, thallium, zinc, and hardness, as CaCO₃, since some metals criteria are hardness dependent.

**These parameter analysis values in the table are based on DMR data from 1st Quarter 2009 through 4th Quarter 2010. Due to declining and infrequent discharges experienced at the permit site, the parameter values for this time period of the last permit cycle are considered the most representative of recent site activity. It is anticipated that flow activity at the site in the future will be similar to the values reported during the 2009 to 2010 evaluation period. [2005 flows averaged 3.04 gpm, with the arts center, parking garage, and hotel tower contributing 2.65, 0.38, and 0.01 gpm, respectively.]

Proposed Effluent Limitations and Special Conditions: During the period beginning on the effective date of this permit, and lasting until the permit expires, the Permittee is authorized to discharge groundwater from the Planet Hollywood dewatering systems, located in Las Vegas, Clark County, Nevada. The Permittee is authorized to discharge this water to the Las Vegas Wash via the Clark County storm drain system.

The water discharged to the storm drain system shall be limited, sampled and monitored by the Permittee at the following points of discharge to the storm drain system, as specified below:

- a. **(Outfall 001):** Prior to discharge to storm drain on north side of site discharging collected flows from Parking Garage sumps.
- b. **(Outfall 002):** Prior to discharge to storm drain near northeast corner of site discharging collected flows from Performing Arts Center sumps.
- c. **(Outfall 003):** Prior to discharge to storm drain on north side of site discharging collected flows from Hotel Tower sumps.

Table I.1

| PARAMETER (mg/l) unless noted | DISCHARGE LIMITATIONS | | MONITORING REQUIREMENTS | | |
|-------------------------------------------------|-----------------------|---------------|-------------------------|-----------------------|-------------|
| | 30-Day Average | Daily Maximum | Sample Locations | Measurement Frequency | Sample Type |
| Flow ¹ (gpm) | 60 | --- | a, b, c | Continuous | Calculate |
| Total Inorganic Nitrogen as N | --- | 20 | a, b, c | Quarterly | Discrete |
| pH (Standard Units) | --- | 6.5 – 9.0 | a, b, c | Quarterly | Discrete |
| Ammonia as N | --- | M&R | a, b, c | Quarterly | Discrete |
| Total Phosphorus as P | --- | M&R | a, b, c | Quarterly | Discrete |
| Total Dissolved Solids [TDS] | --- | M&R | a, b, c | Quarterly | Discrete |
| Total Petroleum Hydrocarbons [TPH] ² | --- | 1.0 | a, b, c | Annual ³ | Discrete |
| Minerals ³ | | M&R | a, b, c | Annual ³ | Discrete |

mg/l: milligrams per liter

gpm: gallons per minute

M&R: monitor & report

Notes:

- Report average daily discharge for each month per outfall and total. Limit applies to total.
- EPA Method 8015B and EPA Method 8260 B, full range. Total analysis must meet permit limit.
- Sample 4th Quarter. Minerals: antimony, arsenic, barium, beryllium, boron, cadmium, calcium, chromium, copper, fluoride, iron, lead, magnesium, manganese, mercury, molybdenum, nickel, selenium, silver, sulfide, thallium, zinc, and hardness as CaCO₃.

If future sampling analyses result in an exceedance of a Division action level for any constituent; the Permittee may be required to initiate appropriate treatment methods for the dewatering process at specified locations before discharging water to an authorized permit outfall. The treatment method selected for meeting Division action levels prior to discharge by the Permittee shall be submitted to the Division for review and approval before being implemented at the facility.

Rationale for Permit Requirements: Monitoring requirements for the parameters specified in Table I.1 have been established to ensure that the receiving water (Las Vegas Wash) is not degraded as a result of discharge from the dewatering operation.

Flow- 60 gpm: This limit is retained from the previous permit and is well in excess of the 2005 flows that averaged 3.04 gpm, with the arts center, parking garage, and hotel tower contributing 2.65, 0.38, and 0.01 gpm, respectively. It is anticipated that decreased flow activity at the site will continue in the future and be similar to the values reported during the 2009 to 2010 evaluation period presented in the Discharge Characteristics section above.

Total Inorganic Nitrogen as N (TIN) - 20 mg/l: NAC 445A.199 includes a requirement to maintain an existing higher quality TIN standard of 95% of the samples ≤ 20.0 mg/L. The renewal permit proposes to continue to monitor TIN with a 20.0 mg/L discharge limitation.

pH - 6.5 - 9.0 standard units - NAC 445A.199 includes a single value pH water quality standard for beneficial uses within the range of 6.5 – 9.0 SU. The renewal permit proposes to continue to monitor pH without change to the discharge limitation.

Total Ammonia as N - monitor & report – In 1987, a total ammonia TMDL of 970 lb/day was established for the Las Vegas Bay/Wash. Based on the low concentrations of total ammonia in groundwater and the State's de minimis policy of exempting discharges of less than 1.0 lb/day total ammonia from the TMDL analysis, the total ammonia load is not expected to be an issue. The renewal permit proposes to continue to monitor total ammonia.

Total Phosphorous as P - monitor & report - In 1987, a TP total maximum daily load (TMDL) of 434 lb/day was established for the Las Vegas Bay/Wash. The waste load allocations (WLAs) set are applicable for only April through September and were based on a target concentration of 0.64 mg/L. WLAs have been assigned only to the Cities of Las Vegas and Henderson and the Clark County Water Reclamation District.

Based on the State's de minimis policy of exempting discharges of less than 1 lb/day TP from the TMDL analysis, a WLA has not been assigned to this Permittee. The renewal permit proposes to continue to monitor total phosphorus.

Total Dissolved Solids (TDS) - monitor & report - This parameter is routinely monitored for all discharges to Las Vegas Wash based on salinity issues in the Colorado River basin. The flow weighted average for all three outfalls for 2005 was 2205 mg/l. Although this is in excess of the water quality standard of 1900 mg/l (NAC 445A.199), treatment has not been required based on its natural occurrence and difficulty of removal.

Total Petroleum Hydrocarbons (TPH) - monitor & report - This parameter is included so that migration of any on or off site organic contaminants to the capture zone of the dewatering systems would be detected. There have been no detections at a 1.0 mg/l detection level at any of the three monitored discharge locations at the site during the 1st Quarter 2009 to 4th Quarter 2010. The shallow groundwater in the vicinity of the property has potential to be contaminated from surface sources. This potential is addressed by the Permittee as discussed in the Discharge Characteristics section above. The renewal permit proposes to continue to monitor TPH with a 1.0 mg/L discharge limitation.

Minerals - monitor & report - The previous permit required reporting the results of annual analyses for various minerals: antimony, arsenic, barium, beryllium, boron, cadmium, calcium, chromium, copper, fluoride, iron, lead, magnesium, manganese, mercury, molybdenum, nickel, selenium, silver, sulfide, thallium, zinc, and hardness, as CaCO₃, since some metals criteria are hardness dependent. The renewal permit proposes to continue to monitor and report these select minerals to inform NDEP of loading contributions from the site groundwater and to identify any exceedance of regulatory standards (NAC 445A.144) for mineral parameters.

Schedule of Compliance: The Permittee shall implement and comply with the provisions of the schedule of compliance after approval by the Administrator, including in said implementation and compliance, any additions or modifications that the Administrator may make in approving the schedule of compliance.

- The Permittee shall maintain and revise, as necessary, the Operations and Maintenance (O&M) manual sections for the site keeping all information current. Within 60 days of permit being issued, **Month Day, 2011**, the Permittee shall:
 - i. Submit a letter to the Division indicating that the approved O&M manual has not changed since the last Division approval and that the manual is still valid for the treatment system(s) operation at the site;
OR
 - ii. Submit an updated O&M manual for the site treatment system(s) for review and approval by the Division. The submitted O&M manual or sections therein shall include any change made to the treatment system since the last Division approved edition needed to comply with this permit as issued.

Proposed Determination: The Division has made the tentative determination to issue the proposed NPDES permit to the facility for a period of five (5) years.

Procedures for Public Comment: The Notice of the Division's intent to issue the permit authorizing the facility to

discharge, subject to the conditions contained within the permit, is being sent to the **Las Vegas Review-Journal** for publication. The notice is being mailed to interested persons on the NDEP-BWPC mailing list. Anyone wishing to comment on the proposed permit can do so in writing for a period of 30 days following the date of the publication of the public notice. All comments must be received by 5:00 pm local time on August 29, 2011. The comment period can be extended at the discretion of the Administrator.

A public hearing on the proposed determination can be requested by the applicant, any affected State, any affected interstate agency, the Regional Administrator or any interested agency, person or group of persons.

The request must be filed within the comment period and must indicate the interest of the person filing the request and the reasons why a hearing is warranted.

Any public hearing determined by the Administrator to be held must be conducted in the geographical area of the proposed discharge or any other area the Administrator determined to be appropriate. All public hearings must be conducted to accordance with NAC 445A.238.

The final determination of the Administrator may be appealed to the State Environmental Commission pursuant to NRS 445A.605.

Prepared by: E. Samuel Stegeman, P.E.
April 2011

NV0022985_Planet Hollywood.FAC11[pub-dft].doc